



Australian Government
Anti-Dumping Review Panel

Anti-Dumping Review Panel
C/O Legal, Audit & Assurance
Department of Industry, Innovation and Science
10 Binara Street
Canberra City ACT 2601
02 6276 1781
Email: adrp@industry.gov.au
Web: www.adreviewpanel.gov.au

By EMAIL:

Mr D Seymour
Anti-Dumping Commissioner
Anti- Dumping Commission
55 Collins Street
Melbourne VIC 3000

Dear Mr Seymour

ROD IN COILS EXPORTED FROM THE REPUBLIC OF INDONESIA AND TAIWAN

I am currently conducting a review of the Parliamentary Secretary's decision to publish a dumping duty notice in relation to Rod in Coils (RIC) from the Republic of Indonesia (Indonesia), except by PT Ispat Indo, and Taiwan. The applicants are PT Gunung Rajapaksi (Gunung) and OneSteel Manufacturing P/L (OneSteel).

Pursuant to section 269ZZL of the Customs Act 1901, I require the reinvestigation of the following finding in Report No 240.

The finding that RIC exported from Indonesia (except by PT Ispat Indo) and Taiwan at dumped prices caused material injury to the Australian industry producing RIC. In particular, you should consider

1. The impact of the local price premium in the degree of undercutting found during the investigation period, noting the conclusions in the Panel Report in European Communities – Anti-Dumping Measure on Farmed Salmon from Norway, (WT/DS337/R, para 7.640, page273, which provide guidance on how such price premiums should be assessed in considering the injury margin; and
2. The volume and price impact of non dumped imports on injury noting the conclusions in the Appellate Body Report, US – Anti-Dumping Measures on certain Hot-Rolled Steel products from Japan, WT/DS184/AB/R, para 223, pages 74-75, dealing with non-attribution; and
3. The impact of the dumping margin on pricing in the Australian market during the investigation period.

These aspects are covered in more detail in the Gunung application for review.

While there is information in the Anti-Dumping Commission (ADC) Report No 240 regarding price effects, you should specifically cover the above mentioned issues in the context of the finding that the dumped exports caused material injury. While it is acknowledged that dumped exports do not have to be sole cause of injury, there must be evidence that the injury caused by dumped goods is material and not attributed to non dumped exports. Accordingly the reinvestigation should pay particular attention to the levels and trends relating to prices and volumes between dumped and non dumped exports.

Could you please report the result of the reinvestigation within 60 days, that is, 15 December 2015.

Thank you for your assistance.

Yours sincerely,

Jaclyne Fisher
Member
Anti-Dumping Review Panel

16 October 2015